



MARYLAND-NATIONAL CAPITAL  
PARK & PLANNING COMMISSION  
FOREST CONSERVATION PLAN RECOMMENDATIONS

TO: Dolores Kinney, Development Review Division

SUBJECT: Preliminary Forest Conservation Plan # 120050760  
Preliminary Plan Bryants Nursery Property

SENT VIA FAX TO: Norman Haines, Haines Land Design (fax: 301-216-9649)

The subject Forest Conservation Plan has been reviewed by Environmental Planning to determine if it meets the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). The following determination has been made:

SUBMISSION ADEQUACY

Adequate as submitted

RECOMMENDATIONS

Approve subject to the following conditions:

Required site inspections by M-NCPPC monitoring staff (as specified in "Trees Technical Manual")

Approval of the following items by M-NCPPC staff prior to DPS issuance of the sediment and erosion control permit:

Tree Protection Plan

Afforestation/Reforestation Planting Plan

Record plat to show appropriate notes and/or easements. Agreements must be approved by M-NCPPC staff prior to recording plats.

Submittal of electronic version of signed final forest conservation plan to be submitted to Environmental Planning prior to clearing or grading. Electronic files must have Environmental Planning approval signature, be in PDF format, and be in only one file.

Others:

1. Environmental buffers and forest retention area to be placed in a Category I conservation easement. Easement to be shown on record plat.
2. Final forest conservation plan to include the following:
  - a. Layout of subdivision to show a shared driveway, as shown on the preliminary plan.
  - b. Environmental data table.
  - c. Detailed tree protection plan to show which trees may be protected and which trees will be cleared on the southeastern portion of proposed Lot 1.

The 8-acre property is forested. Bryants Nursery Tributary, a major tributary of Northwest Branch (Use IV waters), and its environmental buffer traverse through the property. A 100-year floodplain and wetlands also lie within the buffer. The subdivision proposes to retain about 5.4 acres of forest on the two new lots. The forest preservation area, which includes the environmental buffer, would be placed in a Category I conservation easement. The proposed forest preservation area exceeds the break-even point and, therefore, no reforestation is required. The proposed preliminary forest conservation plan meets the requirements of the Forest Conservation Law.

SIGNATURE: Candy Bunnag (301) 495-4543  
Environmental Planning Division

DATE: 11/2/05



MARYLAND-NATIONAL CAPITAL  
PARK & PLANNING COMMISSION  
FOREST CONSERVATION PLAN RECOMMENDATIONS

TO: Dolores Kinney, Development Review Division

SUBJECT: Preliminary Forest Conservation Plan # 1-05076  
Preliminary Plan Bryants Nursery Property  
Date Recd

SENT VIA FAX TO: Norman Haines, Haines Land Design (fax: 301-216-9649)

The subject Forest Conservation Plan has been reviewed by Environmental Planning to determine if it meets the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). The following determination has been made:

SUBMISSION ADEQUACY

Adequate as submitted

RECOMMENDATIONS

Approve subject to the following conditions:

Required site inspections by M-NCPPC monitoring staff (as specified in "Trees Technical Manual")

Approval of the following items by M-NCPPC staff prior to DPS issuance of the sediment and erosion control permit:

Tree Protection Plan (see comments below)

Afforestation/Reforestation Planting Plan

Record plat to show appropriate notes and/or easements. Agreements must be approved by M-NCPPC staff prior to recording plats.

Submittal of electronic version of signed final forest conservation plan to be submitted to Environmental Planning prior to clearing or grading. Electronic files must have Environmental Planning approval signature, be in PDF format, and be in only one file.

Others:

1. Environmental buffer and forest retention are to be placed in Category conservation easement. Easement to be shown on record plat.
2. Include a data table with the following information as part of the preliminary forest conservation plan: total environmental buffer, total floodplain, total wetland; total forest in environmental buffer, forest in floodplain, forest in wetland; linear feet of stream, average width of buffer.
3. Final forest conservation plan to include a critical root zone analysis and detailed tree protection plan along the proposed limits of disturbance, including specimen trees along the southern and eastern property lines.

The 8-acre property is entirely forested. Bryants Nursery Tributary, a major tributary of Northwest Branch (Use IV waters), traverses through the property. The subdivision proposes to retain 5.40 acres of forest on the two new lots. The forest preservation area, which includes an environmental buffer, would be placed in a Category I conservation easement. The proposed forest preservation area exceeds the break-even point and, therefore, no reforestation is required. The proposed preliminary forest conservation plan meets the requirements of the Forest Conservation Law.

SIGNATURE: Candy Bunnag (301) 495-4543  
Environmental Planning Division

DATE: , 2005

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
DEVELOPMENT REVIEW COMMITTEE RECOMMENDATIONS

TO: Richard Weaver  
Development Review Division

SUBJECT: Plan # 1-05076, Name Bryants Nursery Road  
DRC date: April 11, 2005

The above-referenced plan has been reviewed to determine if it meets requirements of the Guidelines for Environmental Management of Development in Montgomery County, and other county regulations that may apply. The following recommendations are made for the DRC meeting:

SUBMITTAL ADEQUACY

Plan is complete. (see recommendations below)

EPD RECOMMENDATIONS:

Approval with the following condition: Approval of the preliminary forest conservation plan

SIGNATURE: Candy Bunnag *OB*  
Environmental Planning  
Countywide Planning Division

DATE: 4/8/05

cc: engineer/applicant

Reminder: Address your submissions/revisions to the Reviewer who completed the Comments sheet.  
Put the Plan numbers on your cover/transmittal sheets.

DRCRPinWord; rev 4/20/04

NOTE: Applicant proposes to retain 2.18 acres of forest that exceeds the break-even point. This acreage may be set up as a forest bank, if the applicant chooses to do so.

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FOREST CONSERVATION PLAN RECOMMENDATIONS

TO: Richard Weaver  
Development Review Division

SUBJECT: Preliminary Forest Conservation Plan # 1-05076  
Preliminary Plan Bryants Nursery Road  
NRI/FSD # 4-05163

The subject Forest Conservation Plan has been reviewed by Environmental Planning to determine if it meets the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). The following determination has been made:

SUBMISSION ADEQUACY

Adequate as submitted

RECOMMENDATIONS

Approve subject to the following conditions:

Required site inspections by M-NCPPC monitoring staff (as specified in "Trees Technical Manual")

~~Required site inspections by M-NCPPC staff prior to the issuance of the~~  
~~Settlement and Erosion Control Plan~~

~~Tree Protection Plan prepared by a licensed arborist~~

Afforestation/Reforestation Planting Plan

Submittal of financial security to M-NCPPC prior to clearing or grading.

Record plat to show appropriate notes and/or easements. Agreements must be approved by M-NCPPC staff prior to recording plats.

Maintenance agreement to be reviewed and approved by M-NCPPC staff prior to first inspection of planted areas.

SIGNATURE: Candy Bunnag  
Environmental Planning  
Countywide Planning Division

DATE: 4/8/05

cc: (applicant)

FCPRinWord 4/20/04 rev

**MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES**  
255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: April 8, 2005

MEMO TO: Catherine Conlon, Acting Supervisor for  
Development Review Committee, MNCPPC

FROM: David Kuykendall, Senior Permitting Services Specialist  
Division of Land Development Services, MCDPS

SUBJECT: Stormwater Management Concept Plan/Floodplain Review  
Preliminary Plan1-05076; Bryants Nursery Road  
Subdivision Review Meeting April 11, 2005 SWM File # 216628

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for Floodplain. The following summarizes our findings:

**SM CONCEPT PLAN PROPOSED:**

- On-site:  CPv  WQv  Both  
 CPv < 2cfs, not required  
 Waiver:  CPv  WQv  Both  
 On-site/Joint Use  Central (Regional): waived to  
 Existing Concept:  Approved Date,  
 Other

**Type Proposed:**

- Infiltration  Retention  Surface Detention  Wetland  Sand Filter  
 Separator Sand Filter  Underground Detention  Non Structural Practices  Other

**FLOODPLAIN STATUS:** 100-Year Floodplain On-Site  Yes  No  Possibly

- Provide the source of the 100-Year Floodplain Delineation for approval:  
 Source of the 100-Year Floodplain is acceptable.  
 Submit drainage area map to determine if a floodplain study (>or equal to 30 acres) is required.  
 Dam Breach Analysis  Approved  Under Review  
 100 yr. floodplain study  Approved  Under Review

**SUBMISSION ADEQUACY COMMENTS:**

- Downstream notification is required.  
 The following additional information is required for review: \_\_\_\_\_

**RECOMMENDATIONS:**

- Approve  as submitted  with conditions (see approval letter).  
 Incomplete; recommend not scheduling for Planning Board at this time.  
 Hold for outcome of the SWM Concept review.  
 Comments/Recommendations: \_

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll:DRC.3/03



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

April 20, 2005

Mr. Bill Mytsak  
A. Morton Thomas & Associates, Inc.  
12750 Twinbrook Parkway  
Rockville, MD 20852-1700

Re: Stormwater Management **CONCEPT** Request  
for Snowdens Manor (Bryants Nursery Road)  
Preliminary Plan #: 1-05076  
SM File #: 216628  
Tract Size/Zone: 8.05 acres / RE-2  
Total Concept Area: 8.05 acres  
Lots/Block: N/A  
Parcel(s): P077  
Watershed: Northwest Branch

Dear Mr. Mytsak:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control and onsite recharge via nonstructural measures. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.

This list may not be all-inclusive and may change based on available information at the time.

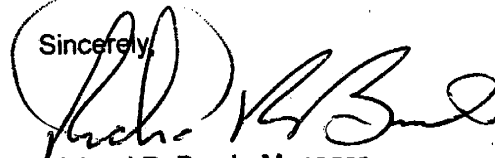
Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.



If you have any questions regarding these actions, please feel free to contact Mark Etheridge at 240-777-6338.

Sincerely,



Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services

RRB:dm mce

cc: R. Weaver  
S. Federline  
SM File # 216628

QN -ON; Acres: 8.02  
QL - ON; Acres: 8.02  
Recharge is provided





DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION

Douglas M. Duncan  
County Executive

Arthur Holmes, Jr.  
Director

October 25, 2005

Ms. Catherine Conlon, Subdivision Supervisor  
Development Review Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan # 1-05076  
Bryants Nursery Road

Dear Ms. Conlon:

We have completed our review of the revised, unsigned preliminary plan dated May 9, 2005. The original preliminary plan for this site was reviewed by the Development Review Committee at its meeting on April 11, 2005. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to MCDPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication across the Bryants Nursery Road site frontage in accordance with the master plan.
2. Prior to approval of the record plat by the Department of Permitting Services, submit storm drain and flood plain studies, with computations, for our review and approval. The post-development runoff is to be computed using the Rational Method. Analyze the capacity of the existing downstream public storm drain system (at Norbeck Road) and the impact of the post-development fifty (50) year storm runoff on same. If the unnamed tributary to Northwest Branch is located in a one hundred (100) year floodplain, calculate the impact of the one hundred (100) year runoff on that stream crossing. Plans for the Norbeck Road Extended CIP project may be requested from our Division of Capital Development/Transportation Design Section; they may be contacted at 240-777-7260.

The limits of the floodplain and the building restriction lines are to be shown on the plan where applicable. The floodplain is to be dimensioned from the property line.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878  
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

Ms. Catherine Conlon  
Preliminary Plan No. 1-05079  
October 25, 2005  
Page 2

3. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
4. Record plat to reflect denial of access along the Norbeck Road site frontage.
5. Bryants Nursery Road is classified as a "Rustic Road" in the 1997 Approved and Adopted Cloverly Master Plan. As such every effort must be to protect the rustic features of that right-of-way.
6. Record plat to reflect a reciprocal access and public utilities easement for the proposed private common driveway.
7. Revise the plan as necessary to meet the requirements of the Montgomery County Department of Permitting Services with regard to wells and/or septic systems.
8. This site is located in the vicinity of one of the alignments under consideration for the Inter County Connector project. The applicant is advised to contact the ICC Project Office in Baltimore (1-800-548-5026) to assess the potential impact of that roadway on this site.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. David Adams at [david.adams@montgomerycountymd.gov](mailto:david.adams@montgomerycountymd.gov) or (240) 777-6000.

Sincerely,



Gregory M. Leck, Manager  
Traffic Safety, Investigations and Planning Team  
Traffic Engineering and Operations Section

m:/subd/DCA/1-05076BryantsNurseryRoad, gml revs  
Enclosure

cc: Vasyi Mytsak; Applicant  
Paul Ratyck; APR & Associates  
Bill Mytsak; A. Morton Thomas & Associates  
Dolores Kinney; M-NCPPC DRD  
Shahriar Etemadi; M-NCPPC TP  
Joseph Y. Cheung; DPS RWPPR  
Christina Contreras; DPS RWPPR  
Sarah Navid; DPS RWPPR  
Sogand Seirafi; DPWT DCD/Transportation Design  
David Adams; DPWT TEOS



Robert L. Ehrlich, Jr., *Governor*  
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*  
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

April 11, 2005

Ms. Cathy Conlon  
Acting Supervisor Development Review  
Subdivision Division  
Maryland National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: Montgomery County  
MD 28 General  
Bryants Nursery Road  
File No. 1-05076

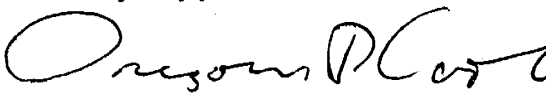
Dear Ms. Conlon:

This office has reviewed the submitted preliminary plan application and offers the following:

- The term "denied access" is to be placed on the final record plat along the property that abuts MD 28 (Norbeck Road).
- The SHA Project Planning Division has been given a copy of the pre-preliminary plan for review with respect to the proposed Intercounty Connector (ICC) alignment and right-of-way. Once they completed their review, they will respond directly to you with any further comments.

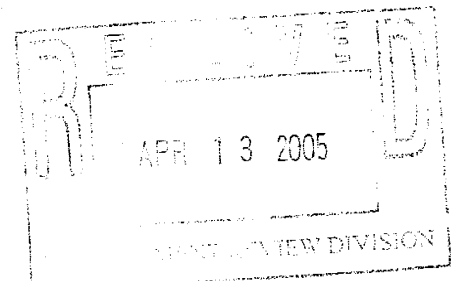
If additional information is required from SHA regarding this project, please do not hesitate to contact Mr. Gregory Cooke of this office at 410-545-5602, Mr. John Borkowski of this office at 410-545-5595, or by using our toll free number in Maryland only, 1-800-876-4742 (x-5602 for Greg, x-5595 for John). You may also E-mail Greg at [gcooke@sha.state.md.us](mailto:gcooke@sha.state.md.us) or John at [jborkowski@sha.state.md.us](mailto:jborkowski@sha.state.md.us). Thank you for your cooperation.

Very truly yours,

  
Steven D. Foster, Chief  
Engineering Access Permits Division

SDF/jb

- cc: Mr. Darrell Mobley (Via E-mail)  
Mr. Augustine Rebish (Via E-mail)  
Mr. Shawn Burnett (w/ copy of preliminary plan)  
Mr. Richard Weaver (M-NCPPC via E-mail)  
Mr. Paul Ratych (APR & Associates, Inc.)



My telephone number/toll-free number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.marylandroads.com](http://www.marylandroads.com)

April 11, 2005

Ms. Cathy Conlon  
Acting Supervisor Development Review  
Subdivision Division  
Maryland National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: Montgomery County  
MD 28 General  
Bryants Nursery Road  
File No. 1-05076

Dear Ms. Conlon:

This office has reviewed the submitted preliminary plan application and offers the following:

- The term "denied access" is to be placed on the final record plat along the property that abuts MD 28 (Norbeck Road).
- The SHA Project Planning Division has been given a copy of the pre-preliminary plan for review with respect to the proposed Intercounty Connector (ICC) alignment and right-of-way. Once they completed their review, they will respond directly to you with any further comments.

If additional information is required from SHA regarding this project, please do not hesitate to contact Mr. Gregory Cooke of this office at 410-545-5602, Mr. John Borkowski of this office at 410-545-5595, or by using our toll free number in Maryland only, 1-800-876-4742 (x-5602 for Greg, x-5595 for John). You may also E-mail Greg at [gcooke@sha.state.md.us](mailto:gcooke@sha.state.md.us) or John at [jborkowski@sha.state.md.us](mailto:jborkowski@sha.state.md.us). Thank you for your cooperation.

Very truly yours,

Original signed by Gregory F. Cooke

Steven D. Foster, Chief  
Engineering Access Permits Division

SDF/jb

cc: Mr. Darrell Mobley (Via E-mail)  
Mr. Augustine Rebish (Via E-mail)  
Mr. Shawn Burnett (w/ copy of preliminary plan)  
Mr. Richard Weaver (M-NCPPC via E-mail)  
Mr. Paul Ratych (APR & Associates, Inc.)